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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,

12 Respondent,

13 v.

14 CY IRVING BROWN,

15 Movant.
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No. 2:03-cr-0104 MCE AC

ORDER

17 Movant is a federal prisoner proceeding through counsel on a motion to vacate, set aside,
18 or correct his sentence pursuant to 28 U.S.C. § 2255. ECF No. 195. In the motion, movant
19 asserts that he is entitled to relief under Johnson v. United States, 135 S. Ct. 2551 (2015). Id.
20 Since movant may be entitled to the requested relief if he can establish a violation of his
21 constitutional rights, respondent will be directed to file a response to the motion. See Rule 4,
22 Rules Governing Section 2255 Proceedings.

23 Accordingly, IT IS HEREBY ORDERED that:

24 1. Respondent is directed to file a response to petitioner's motion to vacate, set aside, or
25 correct his sentence pursuant to 28 U.S.C. § 2255 (ECF No. 195) within thirty days from the date
26 of this order.


27 2. If the response is an answer, respondent shall include with the answer any and all
28 transcripts or other documents relevant to the determination of the issues presented in the motion.

1 Rule 5, Rules Governing Section 2255 Proceedings. Movant's traverse, if any, shall be filed and
2 served within thirty days after service of the answer.

3 3. If the response is a motion, movant's opposition or statement of non-opposition to the
4 motion shall be filed and served within thirty days after service of the motion, and respondent's
5 reply, if any, shall be filed and served within fourteen days thereafter.

6 4. The Clerk of the Court shall serve a copy of this order, together with a copy of
7 movant's motion, on the United States Attorney or his authorized representative.

8 DATED: June 27, 2017

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10 ALLISON CLAIRE
11 UNITED STATES MAGISTRATE JUDGE
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